

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RICK D. HANE BUTT]	
Petitioner,]	
]	
v.]	No. 3:11-0494
]	Judge Campbell
ROLAND COLSON, WARDEN]	
Respondent.]	

O R D E R

The Court has before it a *pro se* prisoner petition (Docket Entry No.1) under 28 U.S.C. § 2254, for writ of habeas corpus.

The petitioner is an inmate at the Riverbend Maximum Security Institution in Nashville. He brings this action against Roland Colson, Warden of the facility, challenging the legality of convictions entered against him in Carroll County.¹

Under 28 U.S.C. § 2241(d), a habeas petitioner may file in either the judicial district where the petitioner was convicted or the judicial district where he is currently incarcerated. Therefore, venue for this action is proper in both the Western and Middle Districts of Tennessee. However, a petitioner's place of confinement may change from time to time while the district of his convictions will remain constant. For this reason, it has been the

¹ Carroll County lies within the Eastern Division of the Western District of Tennessee. 28 U.S.C. § 123(c)(1).

consistent practice in the federal courts of Tennessee to transfer habeas petitions to the judicial district in which the convicting court is located.

In this case, it appears that the Western District is the situs of the petitioner's convictions. Accordingly, the Clerk is directed to TRANSFER this action to the United States District Court for the Western District of Tennessee, Eastern Division at Jackson, Tennessee. 28 U.S.C. § 1404(a).

It is so ORDERED.


Todd Campbell
United States District Judge